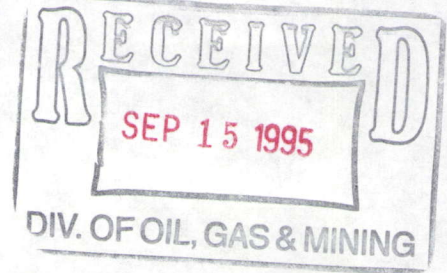




United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Salt Lake District Office
2370 South 2300 West
Salt Lake City, Utah 84119



IN REPLY REFER TO:

U-72287
3809
(UT-025)

SEP 14 1995

CERTIFIED MAIL 760 541 599
RETURN RECEIPT REQUESTED

Mr. William Bown
Utah Building Stone Supply
842 West 400 North
West Bountiful, Utah 84087

Dear Mr. Bown:

Your Notice to conduct mining exploration operations under BLM's 3809 surface mining regulations was received on January 30, 1995 and amended during recent field reviews and meetings on May 4, 1995; June 23, 1995; June 28, 1995; and July 19&20, 1995 concerning your Fisher Creek mining operations, Section 8, T. 13 N., R. 13 W., SLM, in western Box Elder County, Utah, case file number U-72287.

- Submit a report of accomplishments for activities in calendar year 1995
- Amend your notice if there are significant changes during your operation
- Submit a new notice for activities in 1996

In accordance with 43 CFR 3809, we are accepting your notice of intent to conduct mining operations and advising you that your mining activity will occur concurrently with other activities on the public lands. A review of your proposed project by our resource staff in the office, and during several field inspections, raised the following concerns. When proceeding with your on-the-ground operations, please inform your field personnel of the following concerns and take the necessary precautions to prevent undue damage or degradation to these other resources:

1. Dan Washington of my staff and Lynn Kunzler, Utah Division of Oil, Gas, and Mining calculated the disturbed acreage, post implementation of the surface mining laws (1981), and the amount of proposed new disturbance from the road realignments as approximately 4.5 acres from our field exam on June 23, 1995. From our discussions with you and Preston during the field exam we were able to determine that no operations have taken place since 1981 in the dragline or Flaked Quartzite old claim area and the White Cloud/Eagle Point old claim areas.

This acreage will not be considered as disturbed until such time as your operations require reentering these areas or your Fisher Creek operations cease and reclamation begins.

2. A cultural resources field examination was conducted by our District Archeologist, Doug Melton on July 19, 1995 and no significant cultural sites were found. Should surface or subsurface cultural resources be discovered during your operations all activities will cease and you will notify the Bear River Resource Area Manager immediately.
3. A raptor study will need to be conducted by our wildlife specialist. Mitigation for raptors may be required.
4. Trout inhabit the headwaters of Fisher Creek. We intend to keep the water quality and stream diversity intact so the integrity of this population can be protected. Mitigation to maintain stream integrity may be required.
5. The Bureau's Riparian-Wetland Initiative has been recently implemented and establishes guidelines for activities within 100 meters of riparian areas. You will be required to follow these established guidelines.
6. The alignment for the proposed changes in the access route to the Green Slide quarries west of Fisher Creek and to the main quarry east of Fisher Creek should be constructed so as to not disturb any more than necessary. Those portions of the old access to your mine areas that are not needed after new construction is completed will be reclaimed. Our experience shows that a road that is surveyed in and follows standard practices for mine road construction, i.e. proper water handling system, surfacing material and etc., have the most longevity. Proper water handling devices will be installed at all stream channels and dry washes during road construction. The pits shall be designed and long term development plan formulated so that no ponding of water occurs on the pit floor or any benches. The top layer (at least six inches) of soil and vegetation will be removed and stockpiled for use during reclamation. Reclamation will consist of grading all disturbed areas so that the finished surface blends with the line and form of the surrounding topography. The stockpiled topsoil and vegetation will be spread evenly over the recontoured area then reseeded with the seed mixture approved by the authorized officer.
7. The repair to the main Fisher Creek crossing that was washed out during spring run off should be designed to be safe and create the least amount of disturbance to the stream as well as the approaches from both sides of the creek. During our field exam both Lynn and Dan recommended that the ford be replaced with a culvert. Dan's calculations indicate that at least a six (6) foot diameter culvert be installed which would accommodate flows up to a 20 year storm. The upstream side of the culvert should be armored and a velocity reducer installed on the downstream

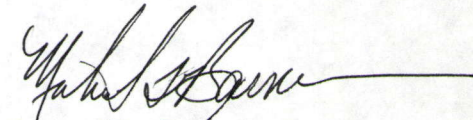
side to prevent undue erosion and maintain stream integrity. During installation a sediment catch should be placed downstream and removed when work is completed.

As was mentioned in our field exam and recent letters the garbage, debris and junk vehicles (with the exception of the winch truck and trailer mounted compressor) which clutter the length of the stream channel, the old processing areas, surround the tailings dump and the foreign material dumped on the north side of the dump will be removed from the area and disposed of properly in an approved landfill prior to the close of the 1995 mining season. As the claimant you are responsible for the clean up and removal of these items from these areas even if someone that you have allowed to operate on your claims left them. Failure to complete this work within the above timeframe will be considered a violation of 43 CFR 3809.2-2(c) and issuance of a formal letter of non compliance.

All claimants/operators who have established a Record of Noncompliance are subject to added regulations found in 43 CFR 3809.3-2 "Noncompliance". Noncompliance may require the claimants/operators to submit a Plan of Operations for all mining activity, and have a bond which would cover 100% of the cost of reclamation of all mining activities.

If you have any questions, please feel free to contact Dan Washington at (801) 977-4300.

Sincerely yours,



Leon E. Berggren
Bear River Resource Area Manager

Atty for

Enclosure
Road Construction Diagrams

cc: Lynn Kunzler
Utah Division of Oil, Gas & Mining
Kiran L Bhayani
Utah Division of Water Quality